REMARKS

Applicants respectfully submit that all the claims presently on file are in condition for allowance appeal. Claims 1, 17, and 24 have been amended, claims 29 - 30 have been canceled without prejudice, and claims 31, 32 have been added to more clearly point out the present invention.

THE SPECIFICATION

The Abstract has been objected to for exceeding the allowable number of words. The Abstract has now been amended in satisfaction of MPEP §608.01(b). In the office action of September 6, 2006 the Examiner objected to the formatting of the amendment to the Abstract. Applicants have now removed the quotation marks, as recommended by the Examiner.

THE CLAIMS

CLAIMS REJECTION UNDER 35 U.S.C. 101

Claims 17-23 were rejected under 35 U.S.C. 101 on the ground that the claimed invention is directed to non-statutory subject matter. Applicants respectfully submit that claim 17 on file satisfied the requirement of 35 U.S.C. 101.

CLAIMS REJECTION UNDER 35 U.S.C. 102

Claims 1-30 were rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. (US 2002/0026443 AI), hereinafter "Chang." Applicants respectfully submit that Chang does not disclose all the elements and limitations of the rejected claims. Consequently, the claims on file are not anticipated under 35 U.S.C. 102, and the allowance of these claims is earnestly solicited. In support of this position, Applicants submit the following arguments:

A. Legal Standard for Lack of Novelty (Anticipation)

The standard for lack of novelty, that is, for "anticipation," is one <u>of strict identity</u>. To anticipate a claim for a patent, a **single prior source must contain** all its essential elements, and the <u>burden of proving</u> such anticipation is on the party making such assertion of anticipation. Anticipation <u>cannot</u> be shown by combining more than one reference to show the elements of the claimed invention. <u>The amount of newness and usefulness need only be minuscule to avoid a finding of lack of novelty</u>.

The following are two court opinions in support of Applicants' position of non anticipation, with emphasis added for clarity purposes:

- "Anticipation under Section 102 can be found only if a reference shows **exactly** what is claimed; where there are **differences** between the reference disclosures and the claim, a rejection must be based on obviousness under Section 103." *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985).

- "**Absence** from a cited reference **of any element** of a claim of a patent negates anticipation of that claim by the reference." *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986), on rehearing, 231 USPQ 160 (Fed. Cir. 1986).

B. Chang et al.

Chang generally describes a computer method capable of searching multiple heterogeneous datastores with heterogeneous data types by employing an object oriented data model to define a federated datastore object. The federated query object translates a generic query into the appropriate queries for each datastore, the federated datastore object acts as a virtual datastore for multiple heterogeneous datastores with the ability to map concepts between datastores, and the federated collection object represents results from a federated query in a hierarchy that maintains sub-grouping information from each datastore to allow accessing of results by datastore or as a single collection of results.

C. Application of the Anticipation standards to the independent claims 1, 17, and 24 in light of Chang

The Examiner states that: "In regard to claim1, Chang discloses a method of managing a persistent federated folder within a federated content management system, comprising: a. Creating the persistent (page 12, [0169], especially lines 5-7 of the cited paragraph) federated folder on a local datastore within the federated content management system (page 6, [0087]-[0090], and pages 7-8, [0099]-[0107])."

Applicants respectfully submit that Chang does not mention the term "federated folder" or discloses the term "persistent federated folder".
At page 6, [0087]-[0090] Chang discloses the concept of "DL folder" in a DL local datastore. This DL folder is not a "federated folder". Rather it refers to a

folder in a local back-end datastore. Furthermore, the DL folder is persistent only in the associated local DL datastore.

The instant claim 1 extends the definition of folder to cover the concept of "federated folder" and that the "federated folder" can be made persistent in the federated datastore.

The Examiner further states that: "Mapping a plurality of entities to the persistent federated folder (page 2, [0027])."

In response, Applicants reiterate that Chang does not disclose the term "federated folder" or the mapping of federated folder. At (page 2, [0027]), Chang discloses the mapping between federated entities into entities in each local back-end datastores participating in the federation. The instant claim 1 extends the concept of mapping to cover the mapping of federated folders into the federated datastore to support persistent operation on them.

The Examiner further states that: "Updating (page2, [0019]) the persistent federated folder by modifying a members list and updating attributes of the persistent federated folder (page 6, [0088]-[0090]). It is noted that the cited methods of addMember and removeMember inherently modifies a members list."

In response, Applicants respectfully submit that the methods of addMember and removeMember described by Chang in (page 6, [0088]-[0090]) are applicable for adding or removing member in a folder in a local datastore, for example DL datastore. The instant claim 1 extends the concept to support the

concept of persistent federated folder, that is the ability to add and remove members in a federated folder.

The Examiner further states that: "Deleting the persistent federated folder (page14, [0232]). It is noted that Chang discloses the federated folder cited above as a type of "object". Therefore, the above citation of "the add, del, and update operations only affect the object in the persistent store" supports that "deleting the persistent federated folder" is inherent disclosed in the cited method."

In response, Applicants respectfully submit that, as mentioned earlier, Chang does not mention the terms of federated folder or persistent federated folder. At page 14, [2032], Chang describes that the persistent operation insert, update, and delete are applicable to the object in the local back-end datastore, e.g., DL datastore. The present claim 1 extends the concept to support the concept of persistent federated folder, that is the ability to do the insert, update, and delete operations on federated folders in a federated datastore.

The Examiner further states that: "In regard to claim 2, Chang discloses modifying the members list comprises adding at least one new member (page 6, [0088])."

In response, Applicants respectfully submit that Chang discloses, at page 6, [0088], that the method of modifying the member list by adding a new member into a folder in a local back-end datastore. However, Chang does not mention "federated folder" or disclose the method of modifying federated

folders in a federated datastore, i.e., adding at least one new member into a federated folder.

The Examiner further states that: "In regard to claim 3, Chang discloses modifying the members list comprises removing at least one member (page 6, [0090])."

In response, Applicants respectfully submit that Chang discloses, at page 6, [0090], that the method of modifying the member list by removing a member from a folder in a local back-end datastore. However, Chang does not mention "federated folder" or disclose the method of modifying federated folders in a federated datastore, i.e., removing a member from a federated folder.

The Examiner further states that: "In regard to claim 4, Chang discloses selecting items in the plurality of entities as a result of search (page 5, [0077])."

In response, Applicants respectfully submit that: Chang discloses, at page 5, [0077], that the result of a query on local back-end datastores. However, as stated earlier, Chang does not mention "federated folder" or disclose a method for querying or selecting items in the plurality of entities as a result of search involving federated folders and their members in a federated datastore.

The Examiner further states that: "In regard to claim 5, Chang discloses a user selecting items in the plurality of entities (page 5, [0072] and [0078])."

In response, Applicants respectfully submit that Chang specifically discloses

at page 5, [0072] and [078], that a user selecting items in local back-end datastores. However, Chang does not mention a "federated folder" or disclose a user selecting items in the plurality of entities from federated folders and their members in a federated datastore.

The Examiner further states that: "In regard to claim 6, Chang discloses an application selecting items in the plurality of entities (page 5, [0076])."

In response, Applicants respectfully submit that Chang discloses, at page 5, [0076], that a method of creating a query object specific to the type of query language. However, Chang does not mention a "federated folder" or disclose an application selecting items in the plurality of entities with federated folders.

The Examiner further states that: "In regard to claim 7, Chang discloses saving (pages 11-12, [0164]-[0165], especially the "setPid(Pid aPid) method) a persistent identifier reference (page 5, [0080], ItemId in the disclosed table) in the persistent federated folder for each of the items in the entities selected as a result of the search (page 5, [0077])."

In response, Applicants respectfully submit that Chang discloses, at page 11-12, [0164]-[0165], that a data object has a persistent identifier, and at page 5, [0080] it discloses that the documents and folders are represented as data objects. However, as stated earlier, Chang does not mention a "federated folder" or disclose any method or approach related to federated folders or saving a persistent identifier reference in the persistent federated folder for each of the items in the entities selected as **a result of the search.**

15

The Examiner further states that: "In regard to claim 8, Chang discloses saving (pages 11-12, [0164]-[0165], especially the"setPid(Pid aPid) method) a persistent identifier reference (page 5, [0080]), ItemId in the disclosed table) in the persistent federated folder for each of the items in the entities selected as a result of the user (page 5, [0072]-[0078])."

In response, Applicants respectfully submit that Chang discloses, at page 11-12, [0164]-[0165], that a data object has a persistent identifier, and in (page 5, [0080]) discloses that documents and folders are represented as data objects. However, Chang does not mention a "federated folder" or disclose any method or approach related to federated folders or saving a persistent identifier reference in the persistent federated folder for each of the items in the entities **selected by the user.**

The Examiner further states that: "In regard to claim 9, Chang discloses saving (pages 11-12, [0164]-[0165], especially the "setPid(Pid aPid) method) a persistent identifier reference (page 5, [0080], ItemId in the disclosed table) in the persistent federated folder for each of the items in the entities selected as a result of the user (page 5, [0076])."

In response, Applicants respectfully submit that Chang discloses at page 11-12, [0164]-[0165], that a data object has a persistent identifier, and at page 5, [0080] it discloses that documents and folders are represented as data objects. However, Chang does not mention a "federated folder" or disclose any method or approach related to federated folders or saving a persistent identifier reference in the persistent federated folder for each of the items in the entities **selected by the application.**

As a result, Applicants submit that, based on the foregoing strict anticipation standards, claim 1 and the claims dependent thereon, including new claims 31 and 32, are not anticipated by Chang and are thus allowable. Independent claims 17 and 24 are allowable for generally reciting similar elements and limitations as those of claim 1. Therefore, claims 17 and 24 and the claims dependent thereon are allowable.

CONCLUSION

All the claims presently on file in the present application are in condition for immediate allowance, and such action is respectfully requested. If it is felt for any reason that direct communication would serve to advance prosecution of this case to finality, the Examiner is invited to call the undersigned at the below-listed telephone number.

Date: <u>December 29, 2006</u>   Respectfully submitted,

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